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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,845	10/07/2003	Andre Sadowski	22554	5407
535	7590	07/07/2004	EXAMINER	
THE FIRM OF KARL F ROSS 5676 RIVERDALE AVENUE PO BOX 900 RIVERDALE (BRONX), NY 10471-0900			FASTOVSKY, LEONID M	
		ART UNIT	PAPER NUMBER	
			3742	

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/680,845	SADOWSKI, ANDRE	
	Examiner Leonid M Fastovsky	Art Unit 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 07 October 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-14 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-14 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 07 October 2003 is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .
5) Notice of Informal Patent Application (PTO-152)
6) Other: ____ .

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 5 and 7-9 and 11-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Beck (5,558,888).

Beck teaches a sleeve heater 60 (Fig. 4-7) comprising a cylindrical heater coil 68, a radially compressible an inner sleeve 61 with an axial slot 65, a radially generally inextensible and cylindrical outer sleeve 70, the inner sleeve 62 has an axially outwardly flared outer surface 67 being engageable with the end of the outer sleeve 70.

As for claim 7, the outer sleeve 70 has a tapered inner surface 76 being engageable with an end of the inner sleeve 62.

As for claims 12-13, Beck teaches an inner sleeve 16 and an outer steel sleeve 30 (col. 3, lines 24-27) with a hole 28 (Fig. 3) through which the coil 24 extends.

As for claim 14, once the sleeve 70 has been slid all the way onto mandrel and over cam surfaces 63a and 67 of the mandrel-sleeve 62, and outer sleeve 70 slides over

sleeve 62 and compress it to clamp onto associated injection molding nozzle (col. 5, lines 40-47).

As for claim 9, Beck teaches a sleeve 62 having an inwardly projected rim 61 (Fig. 4).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck in view of Steinmetz et al (5,687,996).

Beck teaches substantially the claimed invention including a slot 32, but does not teach two slots. Steinmetz teaches two slots 8. It would have been obvious to one having ordinary skill in the art to modify Beck's invention to include two slots to generate a tension between the sleeve and the heating coil as taught by Steinmetz (col. 2, lines 30-45).

6. Claims 6 and 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Beck.

Beck teaches substantially the claimed invention but is silent regarding the length of flared 67 and tapered 74 surfaces. It would have been obvious to one having ordinary skill in the art to make these surfaces about 10 mm long as inherently capable of Beck's invention.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beck in view of Halliday (3,849,630).

Beck teaches substantially the claimed invention, but does not teach a rim on the outer sleeve. Halliday teaches a heater with an outer sleeve 2 having radially inwardly projected rim (Fig. 1). It would have been obvious to one having ordinary skill in the art to modify Beck's invention to include a rim in the outer sleeve to mount the unit on a support as taught by Halliday (col. 3, lines 20-25).

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beck in view of Swearingen (6,482,049).

Beck teaches substantially the claimed invention including an outer sleeve 70 having tabs 74, but does not teach an inner sleeve having an axially outwardly projecting tabs. Swearingen teaches an inner sleeve 28 having an axially outwardly projected tabs 26. It would have been obvious to one having ordinary skill in the art to modify Beck's invention to include an inner sleeve having an axially outwardly tabs in order to prevent any axial rotary movement of the tabs relative to the sleeve as pertinent to the art as taught by Swearingen (col. 5, lines 30-35).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. 6680464 (tapered surface), 5591367 (steel sleeve and flared), 5798504 (sleeve heater).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid M Fastovsky whose telephone number is 703-306-5482. The examiner can normally be reached on M-Th. 8.00 am -6.00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 703-305-5766. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leonid M Fastovsky
Examiner
Art Unit 3742

lmf